

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JACK REESE, FRANCES ELAINE  
PIDDE, JAMES CICHANOFSKY, ROGER  
MILLER, and GEORGE NOWLIN,

Plaintiffs,

v.

CNH GLOBAL N.V. and CNH AMERICA  
LLC,

Defendants.

Case 2:04-cv-70592-PJD-PJK

Hon. Patrick J. Duggan, U.S.D.J.

Hon. Paul J. Komives, U.S. Mag. J.

**STIPULATED ORDER RELEASING CNH'S SUPERSEDEAS BONDS**

The parties hereby stipulate that:

1. On March 3, 2011, the Court reinstated a previous ruling on Plaintiffs' request for attorneys' fees and awarded them \$1,426,948.75 plus \$55,430.09 in costs. (R. 304, Op. & Order 11; R. 242, Op. & Order Granting Pls.' Mot. Att'ys' Fees 10.)

2. On March 16, 2011, CNH Global N.V. and CNH America LLC—referred to collectively as "CNH"—appealed the Court's March 3 order to the United States Court of Appeals for the Sixth Circuit. (R. 309, Notice Appeal 1.)

3. On April 21, 2011, in consideration of a supersedeas bond filed by CNH, the Court stayed execution of the March 3 order through CNH's appeal of it. (R. 315, Order Staying Execution Order Awarding Pls.' Att'ys' Fees Pending Appeal 2.)

4. On June 30, 2011, the Court granted in part a second motion by Plaintiffs for attorneys' fees and awarded them an additional \$277,698.75 and \$10,351.31 in costs. (R. 322, Op. & Order Granting Part & Denying Part Pls.' 2d Mot. Att'ys' Fees 12.)

5. On July 5, 2011, CNH appealed the Court's June 30 order to the United States Court of Appeals for the Sixth Circuit. (R. 323, Notice Appeal 1.)

6. On July 25, 2011, in consideration of a second supersedeas bond filed by CNH, the Court stayed execution of the June 30 order through CNH's appeal of it. (R. 327, Stip. Order Staying Execution Order Granting Part Pls.' 2d Mot. Att'y Fees ¶ 3.)

7. Regarding attorneys' fees, the Sixth Circuit wrote: "In view of this disposition of the appeal, we think it premature to address the parties' attorney-fees arguments. For one, this case is not over. For another, the district court may wish to revisit its attorney-fee decision based on its resolution of the questions identified above." *Reese v. CNH Am. LLC*, 694 F.3d 681, 686 (6th Cir. 2012).

8. On November 14, 2012, the United States Court of Appeals for the Sixth Circuit issued its mandate to this Court. (R. 333, Mandate 2.)

9. There being no further reason for them, the parties stipulate and agree that the Court shall release the supersedeas bonds posted by CNH on April 21, 2011, and July 25, 2011.

Dated: November 30, 2012

Respectfully submitted,

s/ with consent of Roger J. McClow  
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*Attorneys for CNH Global N.V. and CNH  
America LLC*

It is so ordered.

s/Patrick J. Duggan  
Patrick J. Duggan  
United States District Judge

Dated: December 3, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on Monday, December 03, 2012, by electronic and or ordinary mail.

s/Marilyn Orem  
Case Manager

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